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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,445	05/10/2005	Hannu Pullinen	BERGPAT-9	4715
36528	7590	05/10/2007		
STIENNON & STIENNON 612 W. MAIN ST., SUITE 201 P.O. BOX 1667 MADISON, WI 53701-1667			EXAMINER HUG, ERIC J	
			ART UNIT 1731	PAPER NUMBER
			MAIL DATE 05/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/534,445

Applicant(s)

PULLINEN ET AL.

Examiner

Eric Hug

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005 and 17 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-17 and 19 is/are allowed.
- 6) ☒ Claim(s) 7-12, 18 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 12, 18, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In each of the claims, a guide roll is described as consisting of "a plurality of successive roll sections". Without any description of this feature in the specification or drawings, it is uncertain what "successive roll sections" means.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pietikainen et al (WO 00/79049).

Pietikainen discloses in Figure 1 a calender composed of superimposed calender rolls 1, in which calender nips N are formed between the calender rolls 1. A paper web W to be calendered travels via successive nips through the first uppermost nip all the way through the last

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lowermost nip. The web travels along a winding path through the calender in such a manner that after each nip it is taken by means of a take-out leading roll 2. The web path forms web loops alternately on both sides of the stack of calender rolls. Each web loop defines a pocket 3. The web may be taken from a nip by means of two consecutive take-out rolls, as shown arranged after the first nip. A control device 6 may be placed inside the pocket, arranged to supply heat, moisture, or steam inside the pocket 3, directed towards the web. See Figure 3 and page 8, lines 8-14. Figure 4 shows a web loop, inside which an air pocket 3 is formed. In connection with the air pocket, the control device 6 is provided to control the conditions in the air pocket. Such control may be a profiling steam box (see paragraph beginning on page 8, line 27).

Regarding claim 7, Pietikainen discloses the claimed set of rolls (calender 1), fiber web, first and second guide rolls (the two consecutive take-out rolls 2), pocket (3), and damping unit (moisture/steam control device) disposed in the pocket. The guide rolls serve to guide the web between nips. The control devices may be used in conjunction with any one or more of the pockets (see paragraph beginning on page 13, line 15), therefore it would have been obvious to one skilled in the art to dispose a moisture/steam control device in the pocket defined by two guide rolls. Regarding claim 8, the calender comprises hard and soft rolls (see page 5, lines 30-32). These are typical in a calender roll assembly, and although not disclosed by Pietikainen, it is also typical to arrange hard and soft rolls in a manner to provide hard/soft roll nips and reversing nips. Regarding claim 9, the plane defined by the roll nips is shown as being vertical. Regarding claim 10, it must be presumed that the moisture/steam control device and two take-out rolls are mounted on the frame of the calender. Regarding claim 11, the moisture/steam control device appears to be directed to any or all sides of the pocket formed by the web, therefore this

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would obviously include directing moisture/steam to the region of the web between the take-out rolls.

*Allowable Subject Matter*

Claims 13-17 and 19 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 13-17 are allowed for providing a roll means having first and second guide rolls and having a damping unit arranged to spray water between the first and second rolls.

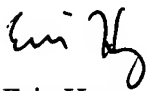
Claim 19 is allowed for providing a moistening arrangement capable of replacing an output roll of a multi-nip calender comprising first and second rolls and a damping unit all mounted to a frame, with the damping unit having a frontal face arranged to spray water between the first and second rolls.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Eric Hug  
Primary Examiner